TC 1350

SUB-COMMISSION ON PROTECTION OF MINORITIES AND AGAINST DISCRIMINATION

EAST TIMOR

Point 6 - Human Rights violations

Mr. Chairman,
Ladies and Gentlemen,

It is with deep respect and admiration for your work on behalf of human rights, and against all discrimination, that I am addressing to the distinguished members of this Commission.

My name is Adalberto Alves, I am Timorese. I had to leave my country, on September 1990, to run away from the persecution of the Indonesian occupying military. This was after Lucas da Costa, who was working with me before, asked political asylum at the Vatican embassy, June 1989. I was then interrogated for several days and threatened, to give information about my colleague.

It was not the first time I was victim of Indonesian violence. I was nine years old when Indonesia invaded East Timor. With my family I fled into the mountains. There, I saw two of my brothers, aged fourteen and seventeen, dying under a bombing by the military, on the 22 June 1978.

In 1979, I was thirteen, my family was captured. I was forced to follow Battalion 315, for six months, carrying loads for the military. Meanwhile, two of my sisters were imprisoned in Dili, without charges or any reason, just because they were Timorese.

On 1982, aged sixteen, I was imprisoned by the military 'Red Berets', Nanggala 55, as a kind of bait to catch my brother-in-law Bernardo Carvalho. He presented himself to the authorities some days later and then they released me.

You might think «this happened in the past, now the situation has changed». It is not true.

I am here to testify the situation of my cousin Jacinto Raimundo Neves Alves, aged 35, married, six children, the eldest aged fourteen. He was arrested after the Santa Cruz massacre, on November 1991, and sentenced by Indonesian judges on 1992, in Dili, to 10 years.

According to recent news, he and three others companions, Saturnino da Costa Belo (the man who shouted «Viva East Timor free!» during the trial of Xanana Gusmão) sentenced to 10 years, Juvêncio de Jesus Martins, sentenced to 8 years, and Filomeno

Pereira, sentenced to 5 years and 8 months, would have been transferred to the prison of Mataran NTB, in Sumbawa island.

Mr. chairman, in question is the right of families to visit their relatives in prison, and to know in what situation they are. This right is denied by Indonesia, transferring the prisoners to unknown locals, or not accessible, in conditions attempting to their dignity and physical integrity.
I want, on this matter, to draw your attention to the fact that in that island is deported my cousin Alarico dos Reis Fernandes, aged 50, with his wife and his daughter, now 27 years old. Alarico and his family - his daughter was then 14 - were captured in Alas, East Timor, on 1979. A year later they were transferred to the prison of Mataran, in Sumbawa island. Now, my cousin suffer from psychic disorders, resulting from the serious tortures he was subjected to.

Other Timorese prisoners were transferred after the visit, on 8 April 1993, by Amos Wako, special envoy of United Nations Secretary-General. Six of them, Bonifácio Magno, Carlos dos Santos Lemos, Jacob da Silva, Aleixo Gama, João Santos and Bobby Xavier, were taken to the prison of Penfui, in Kupang, Indonesia. They are in terrible conditions, only have a meal in the day, are forced to hard labor and can't be visited.

Mr. Chairman,

All this trials set up by Indonesia are illegal. The United Nations have never recognized Indonesia sovereignty on East Timor. So, how can Indonesia have competence and legitimacy to try Timorese citizens, charging them of rebellion against a Government that occupies illegally the territory, disrespecting the UN resolutions and the United Nations Charter?

The show trial of Xanana Gusmão, leader of the Timorese resistance, is a good example of such illegality: Indonesia pretended to give it an appearance of fairness and openness, but since the beginning the process disrespected minimum standards of legal justice. Held incommunicado for the first weeks, Xanana couldn't choose a defense lawyer and was even denied the right of presenting his own statement of defense.

This is the situation of those sent for trial, whose names are registrated in an official list. But what about all those who were arrested and whose whereabouts are unknown?

I want to express, in the name of relatives of Timorese prisoners or disappeared, our deep concern about the situation of many young Timorese, who were arrested on November 1991, after the Santa Cruz massacre, in Dili. Many of them had been taken to serve in Indonesian Battalions, placed in Timor. Let me present the case of Simplício Celeste de Deus, who was shot in the belly and arrested on November 1991. Subjected to interrogations, he suffered severe ill-treatments, his executioners having cut him one ear and ripped the other in strips. Afterwards, he was taken to an Indonesian Battalion, in Lospalos, where he still is, under a slavery imprisonment. Him and other young Timorese are forced to

work for Indonesian military, who keep them prisoners, and to carry material during the operations organized against the resistance in that area. Mau Dun, Januário da Conceição and José Manuel are Timorese prisoners taken to Lospalos on January 1992, without having never been sent to trial. Still on the past 20 of July, Marcelino do Céu, accused of being related to the Timorese resistance, was arrested in Lospalos. Since then, his whereabouts where unknown. We fear that he had the same destiny as others companions.

This kind of prison is one of the methods used by Indonesian military to try to mask the number, place and situation of Timorese prisoners. Because of this, many families ignore the whereabouts of their relatives imprisoned, as they are always moving from one place to another, and live tormented, guessing the risk their lives are running.

Let me remind that the International Red Cross itself was forced to suspend again all the visits to Timorese prisoners, as it is prevented to contact the majority of them. Indonesian authorities only allow visits when they are necessary to their propaganda projects.

Mr. Chairman,

The situation in East Timor is of fear and terror. The recommendations of this Sub-Commission and the Commission on Human Rights to the Indonesian Government, in order to improving the situation of human rights and release all the prisoners involved in pacific activities, seems to have been in vain. The young people are, frequently, a target for military arbitrarinesses. East Timor is still like a big prison: Timorese in the territory have not much more freedom than those who are in prison.

I make an appeal to the members of this Sub-Commission, experts in Human Rights, not to forget the problem of East Timor. Only international pressure can bring Indonesian authorities to reduce human rights violations in East Timor.

Mr. Chairman, Ladies and Gentlemen, thank you.

Adalberto dos Santos Alves

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